

REMARKS

The Applicant has filed the present Amendment pursuant to 37 C.F.R. § 1.111 in reply to the outstanding Official Action of July 22, 2003, and the Applicant believes the Amendment to be fully responsive to the Official Action for the reasons set forth below.

In the Official Action, the Examiner first rejected Claims 1-2 pursuant to 35 U.S.C. § 102(e), as allegedly anticipated by Burns, *et al.* (U.S. Patent No. 6,324,182) (hereinafter "Burns"). The Examiner further rejected Claims 3-6 pursuant to 35 U.S.C. § 103(a), as allegedly unpatentable over Burns in view of Brandt, *et al.* (U.S. Patent No. 6,377,993) (hereinafter "Brandt").

At the outset and before addressing the rejections raised in the Official Action, the Applicant has amended the preamble of independent Claim 1 to recite a network system comprising a client which acquires and displays home page data, a cache URL address storage server which retains an access list comprising a plurality of URL addresses transferred from said client, and a cache server which acquires and temporarily retains the home page data on the basis of the access list retained in said cache URL address storage server. The support for this amendment is found in the specification at least on page 6, lines 19-23; page 7, lines 7-11; and page 7, line 22 – page 8, line 14. The Applicant has further added new Claims 7-12 recited herein and directed to an inventive feature of shortening a line connection time of a client. More specifically, the independent Claim 7 recites the steps of connecting/disconnecting a line between the client and a cache URL address storage server and connecting a line between the client and a cache server upon completing the acquisition of the home page data. The Claims 8-12 track the original

Claims 2-6. The support for the new claims is found in the specification at least on page 7, line 22 – page 8, line 14; page 12, line 20 – page 13, line 11.

The Applicant respectfully disagrees with the Examiner's allegations pursuant to 35 U.S.C. §§ 102(e) and 103(a), and as a consequence, the Applicant proffers the following arguments directed to the patentability of the claimed invention.

Insofar as rejections pursuant to 35 U.S.C. § 102(e) are concerned, it is axiomatic that anticipation requires that the prior art reference disclose each and every element of the claim to which it is applied. In re King, 801 F.2d 1324, 1326 (Fed. Cir. 1986). Thus, there must be no differences between the subject matter of the claim and the disclosure of the applied prior art reference. Stated another way, the prior art reference must contain within its four corners adequate direction to practice the invention as claimed. A corollary to the aforementioned rule, which is equally applicable, states that the absence from the applied prior art reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible Inc., 793 F.2d 1565, 1571 (Fed. Cir. 1986).

In traversing the rejections of the independent Claim 1 pursuant to 35 U.S.C. § 102(e), the Applicant respectfully submits that the primary prior art reference to Burns is deficient in that fails to disclose the steps of transferring an access list (comprising a plurality of URL addresses) and acquiring home page data on the basis of the transferred access list, as particularly recited in the independent Claim 1. The primary prior art reference to Burns is directed to a pull-based caching system in which a local service provider (ISP or LAN network server) pre-caches and pre-loads frequently requested content from content providers prior to a peak demand time when the content is

likely to be requested by the subscribers of the local service provider (See Burns Fig. 1; Col. 4, line 29 – Col 5, line 19; Col. 7, line 66 – Col. 8, line 67). However, at the columns cited by the Examiner on page 2 of the Official Action (See Burns, Col. 4, line 59-67), Burns merely discloses that the local service provider receives requests in the form of URLs (See Burns, Col. 8, lines 5-26) for particular content from the subscribers and based on the hit recorder 112, pattern recognizer 116 and scheduler 118, the local service provider schedules requests for specific URLs from the content providers prior to peak demand time when the content is likely to be requested by the subscribers. To the contrary of the claimed invention, it is clear that each subscriber in Burns does not transmit the claimed access list to the local service provider, but in-fact only transmits a URL request for the desired resource. More specifically, whereas the claimed access list from the client comprises a plurality of URL addresses, Burns' URL from a subscriber represents a request for a particularly desired resource (See Burns, Col. 8, lines 23-36). In addition, the Applicant respectfully submits that a URL request is a technically disparate term of art from an access list. Consequently, the Applicant respectfully submits that Burns does not disclose a client access list. As such, Burns, therefore, fails to disclose the steps of transferring an access list (comprising a plurality of URL addresses) and acquiring home page data on the basis of the transferred access list, as particularly recited in the independent Claim 1.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejection of the independent Claim 1 pursuant to 35 U.S.C. § 102(e). Furthermore, the Applicant respectfully requests the Examiner to withdraw rejection of

the dependent Claim 2, based at least on its respective dependency from the independent Claim 1.

In traversing the rejections of Claims 3-6 pursuant to 35 U.S.C. § 103(a), the Applicant respectfully submits that the Burns-Brandt combination is likewise deficient in that fails to teach or suggest the steps of transferring an access list (comprising a plurality of URL addresses) and acquiring home page data on the basis of the transferred access list, as particularly recited in the independent Claim 1. The arguments presented above with regard to the primary prior art reference to Burns are also applicable here and are incorporated herein in their entirety. More specifically, Burns' URL request for a particular resource does not teach or suggest an access list, as particularly argued hereinabove. The secondary prior art reference to Brandt is directed to an Intranet/Internet/Web-based data management tool that provides a common GUI enabling the requesting, customizing, scheduling and viewing of various priced call detail data reports pertaining to customer's usage of telecommunications services. However, the Applicant respectfully submits that the secondary prior art reference to Brandt does not rectify the above-identified deficiency regarding the claimed transferring of an access list and acquiring home page data on the basis of the transferred access list. Consequently, the Applicant respectfully submits that the Burns-Brandt combination fails to teach or suggest the claimed invention, as particularly recited in the independent Claim 1.

In view of the foregoing, the Applicant respectfully requests the Examiner to withdraw the rejections of dependent the Claims 3-6 pursuant to 35 U.S.C. § 103(a), based at least on their respective dependencies, whether direct or indirect, from the independent Claim 1.

In sum, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the allowance of the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,



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